

2.3.4.1 Permitting Framework and Scope/ Permit Program Areas/ Animal Feeding Operations (AFO)/Unclassified AFOs

Applicability:

Defines unclassified animal feeding operations (AFOs) and unclassified concentrated animal feeding operations (CAFOs). Discusses exemptions and required permits for such operations.

Content:

An animal feeding operation (AFO) is a lot, building, or complex at an operating location where:

- animals have been, are, or will be stabled or confined and fed or maintained for a total of 45-days or more in any 12-month period; and
- a ground cover of vegetation is not sustained over at least 50% of the animal confinement area.

This definition is similar to the definition of AFO presented at 10 CSR 20-6.300(1)(B)4 and is based on the federal definition of AFO found at 40 CFR 122.23(b)1.

An operation that does not meet the above criteria is not considered an AFO and is not regulated by 10 CSR 20-6.300, regardless of the number of animals at the operation.

An unclassified AFO is an AFO where there are fewer than 300 animal units. The term animal units is defined at 10 CSR 20-6.300(1)(B)3. Unclassified AFOs are exempt from applying to the department for an operating permit. However, a permit may be required for an operation if the department determines that the on-going operation is not in compliance in accordance with 10 CSR 20-6.300(2)(D).

If the department determines that an operating permit is required for an unclassified AFO in compliance with 10 CSR 20-6.300(2)(D), the operation will be designated an unclassified concentrated animal feeding operation (CAFO). Following this designation, permit application review for the operation will be conducted by the department according to the procedures for CAFOs.

Legal References:

Code of State Regulations:

[10 CSR](#) Concentrated Animal Feeding Operations (CAFOs)
[20.6.300](#)

Other Links:

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